



Planning Commission Meeting
October 17, 2018 6:00PM

Tim Hauptert called the meeting to order at 6:00 p.m.

PRESENT: Mayor Cegelka, Jeff Adie, Tim Hauptert; Kel Billings absent.

OTHERS PRESENT: CBO Bob Rodic, Law Director Mark Marong, Engineer Mike Henry

PUBLIC HEARINGS:

PUBLIC HEARING FOR THE PURPOSE TO DISCUSS A VARIANCE REQUEST TO ZONING CODE SECTION 1139.03(2) TO PERMIT A LOT WIDTH OF ONE-HUNDRED (100) FEET IN THE GENERAL INDUSTRIAL DISTRICT FOR PP#S 991-17-003 LOCATED ON THE NORTH-WEST PORTION OF THE TINKERS COURT CUL-DE-SAC:

The Public Hearing opened at 6:01pm. There were no comments. The Public Hearing closed at 6:02 pm.

PUBLIC HEARING FOR THE PURPOSE TO DISCUSS A VARIANCE REQUEST TO ZONING CODE SECTION 1139.04(1) TO PERMIT A FRONT YARD SETBACK OF FIFTEEN (15) FEET IN THE GENERAL INDUSTRIAL DISTRICT FOR PP#S 991-17-003 LOCATED ON THE NORTH-WEST PORTION OF THE TINKERS COURT CUL-DE-SAC:

The Public Hearing opened at 6:03 p.m. There were no comments. The Public Hearing closed at 6:04 p.m.

PUBLIC HEARING FOR THE PURPOSE TO DISCUSS A VARIANCE REQUEST TO ZONING CODE SECTION 1139.04(2)C TO PERMIT A REAR YARD SETBACK OF FIFTEEN (15) FEET IN THE GENERAL INDUSTRIAL DISTRICT WHEN LOCATED ADJACENT TO THE COUNTRY HOME DISTRICT FOR PP#S 991-17-003 LOCATED ON THE NORTH-WEST PORTION OF THE TINKERS COURT CUL-DE-SAC:

The Public Hearing opened at 6:05 p.m. There were no comments. The Public Hearing closed at 6:06 p.m.

PUBLIC HEARING FOR THE PURPOSE TO DISCUSS A VARIANCE REQUEST TO ZONING CODE SECTION 1139.05(A)3 TO PERMIT A REAR YARD PARKING SETBACK OF TEN (10) FEET IN THE GENERAL INDUSTRIAL DISTRICT WHEN LOCATED ADJACENT TO THE COUNTRY HOME DISTRICT FOR PP#S 991-17-003 LOCATED ON THE NORTH-WEST PORTION OF THE TINKERS COURT CUL-DE-SAC:

The Public Hearing opened at 6:07 p.m. There were no comments. The Public Hearing closed at 6:08 p.m.

Motion by Jeff Adie seconded by Tim Hauptert to approve the minutes of the September 19, 2018 Planning Commission Meeting.

**Yeas—Adie, Hauptert
Abstain—Cegelka
2 yeas – 0 nays
Motion failed**

OLD BUSINESS:

NONE:

NEW BUSINESS:

Chairman Haupt asked the Law Director and Chief Building Official to explain the property and the Real Estate Donation and Development Agreement that pertains to items A. through F. under New Business on tonight's Agenda.

Mr. Rodic's memorandum explained that Glenwillow Land Group, LLC, the owner of the property located on the north-west portion of the of Tinkers Court cul-de-sac, is seeking four variances as a part of real estate donation and development agreement between the Milstein Land Group, Glenwillow Land Group, LLC and the Village of Glenwillow. The agreement was adopted by Village Council on September 19, 2018. The property is zoned General Industrial and located adjacent to property to the west that is zoned Country Home District.

Mark Marong commented; as part of the real estate donation and development agreement, the Milstein Land Group donated roughly 15 acres of land to the Village to be used for future trail development and conservation. This property donation was part of the Village's OPWC grant that approved funding for other conserved parcels. Mr. Marong noted the location of the parcels on the Village Zoning Map. Mr. Marong noted that the four requested area variances deal with lot with and setbacks on PP 991-17-003. Mr. Marong noted that the area east of these parcels is industrial and that the area west is residential. However, through the real estate donation and development agreement, the Village will own the three parcels west of PP 991-17-003.

Mike Henry explained the various distances from PPN 991-17-003 to the Pergl Road Subdivision and Tinkers Creek HOA noting the large acreage of Village owned conserved land in between. Mr. Henry explained that the real estate donation and development agreement also contained a property vacation of part of the Tinker's Court cul-de-sac. Mr. Henry explained that governmental services, police and fire, would not be impacted by this vacation and that the Village would retain sanitary and storm sewer easements through the vacated property. Mr. Marong noted that the property vacation and the requested variances would allow a larger building to be built on the parcel hopefully bringing more jobs to Glenwillow.

Mr. Fisher was in attendance for the Glenwillow Land Group.

VARIANCE REQUEST TO ZONING CODE SECTION 1139.03(2) TO PERMIT A LOT WIDTH OF ONE-HUNDRED (100) FEET IN THE GENERAL INDUSTRIAL DISTRICT FOR PP# 991-17-003 LOCATED ON THE NORTH-WEST PORTION OF THE TINKERS VALLEY COURT CUL-DE-SAC:

Mr. Marong stated that Planning Commission should consider the factors for an area variance in Chapter 1119(b)(2). Said factors are listed as (a) through (g) in the code.

Mayor Cegelka commented that the reduced lot with variance request would not alter the character of the neighborhood and would not impact the delivery of governmental services. The other Planning Commission members agreed and did not see an issue with the request.

Motion by Jeff Adie seconded by Mayor Cegelka to approve the Variance request to Zoning Code Section 1139.03(2) to permit a lot width of one-hundred (100) feet in the General Industrial District located on the north-west portion of the Tinkers Court cul-de-sac.

**Yeas—Cegelka, Adie, Hauptert
3 yeas – 0 nays**

VARIANCE REQUEST TO ZONING CODE SECTION 1139.04(1) TO PERMIT A FRONT YARD SETBACK OF FIFTEEN (15) FEET IN THE GENERAL INDUSTRIAL DISTRICT FOR PP#’S 991-17-003 LOCATED ON THE NORTH-WEST PORTION OF THE TINKERS COURT CUL-DE-SAC:

Mr. Marong commented; Planning Commission should again consider the factors in Chapter 1119(b)(2)(a) through (g). This request is a reduced front yard setback. Councilman Adie commented on the sewer access. Mr. Henry noted that the requested variance would not impact the public right-of-way and governmental services including storm and sanitary sewer.

Councilman Adie and the Mayor indicated that they did not have any issue with the front yard setback variance and they analyzed the code factors. The rest of Planning Commission agreed.

Motion by Jeff Adie seconded by Mayor Cegelka to approve the Variance request to Zoning Code Section 1139.04(1) to permit a front yard setback of fifteen (15) feet in the General Industrial District located on the north-west portion of the Tinkers Court cul-de-sac.

**Yeas—Cegelka, Adie, Hauptert
3 yeas – 0 nays**

VARIANCE REQUEST TO ZONING CODE SECTION 1139.04(2)C TO PERMIT A REAR YARD SETBACK OF FIFTEEN (15) FEET IN THE GENERAL INDUSTRIAL DISTRICT WHEN LOCATED ADJACENT TO THE COUNTRY HOME DISTRICT FOR PP#’S 991-17-003 LOCATED ON THE NORTH-WEST PORTION OF THE TINKERS COURT CUL-DE-SAC:

Mr. Henry commented that the rear yard of this property is its western border and borders Village owned large parcels. Mayor Cegelka noted the Village’s plan for future trails and conservation on these parcel. Planning Commission considered the area variance factors in in Chapter 1119(b)(2)(a) through (g).

Motion by Jeff Adie seconded by Mayor Cegelka to approve the variance request to Zoning Code Section 1139.04(2)C to permit a rear yard setback of fifteen (15) feet in the General Industrial District when located adjacent to the Country Home District located on the north-west portion of Tinkers Valley Court.

**Yeas—Cegelka, Adie, Hauptert
3-yeas – 0 nays**

VARIANCE REQUEST TO ZONING CODE SECTION 1139.05(A)3 TO PERMIT A REAR YARD PARKING SETBACK OF TEN (10) FEET IN THE GENERAL INDUSTRIAL DISTRICT WHEN LOCATED ADJACENT TO THE COUNTRY HOME DISTRICT FOR PP#'S 991-17-003 LOCATED ON THE NORTH-WEST PORTION OF THE TINKERS COURT CUL-DE-SAC:

Mr. Henry commented that the rear yard of this property is its western border and borders Village owned large parcels. The parking setback would not affect any adjacent property owners. Mayor Cegelka again noted the Village's train and conservation on these parcel. Planning Commission considered the area variance factors in in Chapter 1119(b)(2)(a) through (g).

Motion by Jeff Adie seconded by Kel Billings to approve the variance request to Zoning Code Section 1139.05(a)3 to permit a rear yard parking setback of ten (10) feet in the General Industrial District when located adjacent to the Country Home District located on the north-west portion of Tinkers Valley Court.

**Yeas—Cegelka, Adie, Billings, Hauptert
4 yeas – 0 nays**

COUNCIL REFERRAL OF VACATION ORDINANCE 2018-10-40:

Mr. Marong commented. Pursuant to the Village Charter and State Law, Planning Commission was referred Ordinance No. 2018-10-40 for review. This Ordinance authorizes the vacation of roughly 0.40 acres of public right-of-way on Tinker's Court. Mike Henry explained that this vacation will not impact the delivery of governmental services and will allow for less road maintenance. He further noted that the Village will have sanitary and storm sewer easements through the vacated area.

Mayor Cegelka commented that this parcel has been vacant for some time and that the property vacation will hopefully attract a good business to Glenwillow bringing new jobs.

Motion by Jeff Adie seconded by Kel Billings recommending council to approval Ordinance No. 2018-10-40 authorizing the vacation of roughly 0.4 acres of street right-of-way located at the end of Tinker's Court and determining said right-of-way to be no longer needed for a public purpose subject to Council approval.

**Yeas—Cegelka, Adie, Hauptert
3 yeas – 0 nays**

**REQUEST FOR APPROVAL OF A LOT SPLIT, CONSOLIDATION, VACATION,
DEDICATION PLAT FOR PP#'S 991-17-003 LOCATED ON THE NORTH WEST PORTION
OF THE TINKERS COURT CUL-DE-SAC:**

Mike Henry commented; the re-dedication plat will memorialize the property vacation and various lot splits that need to occur to properly plat Tinker's Court. Mike Henry noted that GLG will be donating 0.20 acres of land to help create the new cul-de-sac.

**Motion by Jeff Adie seconded by Kel Billings for Approval of a Lot Split,
Consolidation, Vacation, Dedication Plat, located on the north-west corner of Tinkers
Valley Court.**

**Yeas—Cegelka, Adie, Billings, Haupt
4 yeas – 0 nays**

**REQUEST FOR APPROVAL FOR PLACEMENT OF FILL FOR PP# 991-22-110 DIAMOND
PARKWAY/VICTORY PARKWAY:**

The applicant, Trevor Extine representing Geis Companies and the owner of the property, Broad Oak Development LTD & Weston Glenwillow LTD, is requesting approval to provide an area of fill on a vacant parcel located on the southwest corner of the Diamond Parkway and Victory Parkway across from the Faster site identified as PP# 991-22-110. The property is zoned General Industrial District.

Glenwillow Chapter 1165.02 in part requires that any land clearing activity including; removal of soil, placement of fill or excavation shall be permitted when approved according to Section 1165.06 and only for purposes of grading, excavating an area in preparation thereon.

Section 1165.06 requires that any land clearing activity shall only be permitted with application for review and approval by the Planning Commission.

Mike Henry commented that the location placing the fill will aide in leveling out that area. Mr. Henry asked Planning Commission to make a motion subject to having the fill not exceed the height listed on the approved plans.

Trevor Extine was in attendance and explained the purpose of the request; to allow the stockpiling of fill material on the existing vacant site west of Victory Drive will improve the usability on this parcel as well as the site currently under construction (434K, Victory Commerce Center)

Per section 1165.06(a)(2) they have submitted the following responses;

- The method of removal to be employed will be to use the current site contractor from the Victory Commerce Center project for relocation of fill material to the subject site.

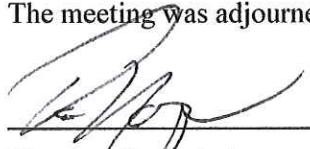
- The timing of this is currently viewed to be completed from time of approval of the submitted plans till the end of October.
- The Amount of soil to be filled is estimated to be approximately 10,000 Cubic Yards.
- The Proposed disposition will be to strip the existing topsoil and re-distribute it over the stock pile of fill material for seeding.
- Silt plan to be installed per the submitted plans.

Motion by Mayor Cegelka seconded by Jeff Adie for approval of placement of fill for PP# 991-22-110 subject to final engineering approval and subject to the height of the fill not exceeding the height listed on the approved plan.

**Yeas—Cegelka, Adie, Hauptert
3 yeas – 0 nays**

There being no further business to come before the Planning Commission, motion by Jeff Adie seconded by Mayor Cegelka to adjourn the meeting. Vote on the motion to adjourn was all yeas and no nays.

The meeting was adjourned at 6:52 p.m.



Planning Commission



Planning Commission Secretary-Lori A. Pepera